

Washington Planning Board

P. O. Box 408, Washington, Maine 04574

Tuesday June 4, 2013

The meeting opened at 7:00 pm.

Present were: Chairman, Mitchell Garnett; Vice Chairman/Secretary, Jim Bowers; Members: Hank Aho, David Williams and David Studer; Alternates Reggie Burns and Rich Bouchard; CEO, Bob Temple and Recording Secretary, Liane Chapman. The minutes of March 12, 2013 were accepted with all in favor.

The CEO report was distributed to the members. Mr. Williams asked about whether a modular home owned by Esancy was on a slab. Mr. Temple said it was going on a slab. Mr. Garnett commented that a slab was no longer required. The rule had changed three years ago to require only a gravel pad. Mr. Studer noted that the state rule required a frost-protected foundation. Such a foundation can be frost-protected but it requires a stamp by a certified engineer. Basically if there is a three foot base of gravel, the modular house can be put on it.

Referring to the extension of some permits listed on the CEO report, Mr. Temple noted that the ordinance allows an extension to be extended beyond the two years and what he does is just reissue the same permit after two years to extend it. Mr. Studer commented that the state law might be changed in regard to building codes so that towns would have to abide by state codes whether or not the buildings were inspected. At present that rule only holds if the population is over 4,000. Even for a mobile home the foundation would have to be correct. Mr. Temple explained what his technique for reporting would be in the future.

Mr. Temple updated the Board on the issues from the recent past. He said the Linscott pit had been issued a stop work order last year. The surveyor had called him to say they would apply for a permit, but nothing had happened so far. Apparently the remainder of the Schroyer estate had been sold to someone who wants to make it into a gravel pit. He observed that we now have thirty-two gravel pits in town. Mr. Temple noted that there had been changes made in the Mining Ordinance and he planned to modify the finding of fact template so that it would be available in advance if any applications came along. He was trying to get some of the older inactive pits reclaimed in order to get rid of them. A couple of parties have shown interest in the Fariello pit which is now in foreclosure as they would like to convert it into something different. He noted that the pit would not be released without some kind of plan to bring it back to some reasonable appearance. About three years ago, someone had shown interest in making it a shooting range. Now Proc Marine has shown interest. Mr. Studer commented that the area has been zoned for industrial use.

Mr. Bowers asked about activity in the Linscott pit. It had come up at a Selectmen's meeting two weeks previous. A request was made to release the stop work order. Mr. Temple said the Selectmen had said nothing would be considered unless the request was in writing. The Linscotts had requested permission to continue working this year under the provision that the material was for personal use, not for sale. No more than 2,000 square feet could be disturbed. Mr. Temple had written them a letter, approved by the Selectmen, allowing them to take up to 1,000 yards for personal use. The condition was that the buffer along the road be re-established as per directions for how it is to be done. It had to be 100 feet, and there was a time limit in which that must be accomplished. They do not have a permit for a rock crusher.

Mr. Bowers said they were not taking gravel, but rather flat rock. Mr. Temple said they were taking boulders, and the letter refers to the removal of any extraction material. The definition includes boulders. He said he had a problem with knowing when 1,000 yards had been removed. Mr. Studer thought it could be measured by the number of truckloads. He suggested that the owners must report the number of loads every so often and if that were ignored, they could not continue to work. Mr. Temple referred the Board to the regulations in the Mining Ordinance. There was confusion about who had a current version and whether it had the twelve month limit or the requirement for personal use. Mr. Temple said he would look into it and send the current version to Mrs. Chapman to send to the Board. He also noted that the Linscotts had been required to sign the letter he had sent to them to show that they agreed to the provisions. Mr. Aho asked why some pages said "amended to 2013" and others said amended to 2012. The Land Use Ordinance (LUO) had the same problem. He thought that should be fixed and they should all be consistent. There should be an indication of when the regulation was amended. Mr. Temple found the version that required personal use only and a permit from the Planning Board for anything other than 1,000 cubic yards, but still did not include the twelve month limit. That version meant that after 1,000 cubic yards, the pit would close even if the material were for personal use since there was no time limit. Mr. Studer and Mr. Williams felt that should be marked for amendment. Mr. Studer noted that if Mr. Temple's letter to pit owners asked for a report of how many cubic yards were removed every month and the operators did not tell him, he had an enforcement tool.

Mr. Temple reported that the Town had been enforcing LUO violations by taking them to court and charging violators with penalties and attorneys' fees.

New Business was election of officers. Mr. Studer moved to re-elect the same slate as in the past year. Mr. Williams seconded. All voted in favor except Mr. Garnett and Mr. Bowers who were nominees and recused themselves. Mr. Garnett stated that there would be no meeting in July unless new business required it.

The meeting adjourned at 7:26 pm.

Respectfully submitted,

Liane Chapman

Recording Secretary